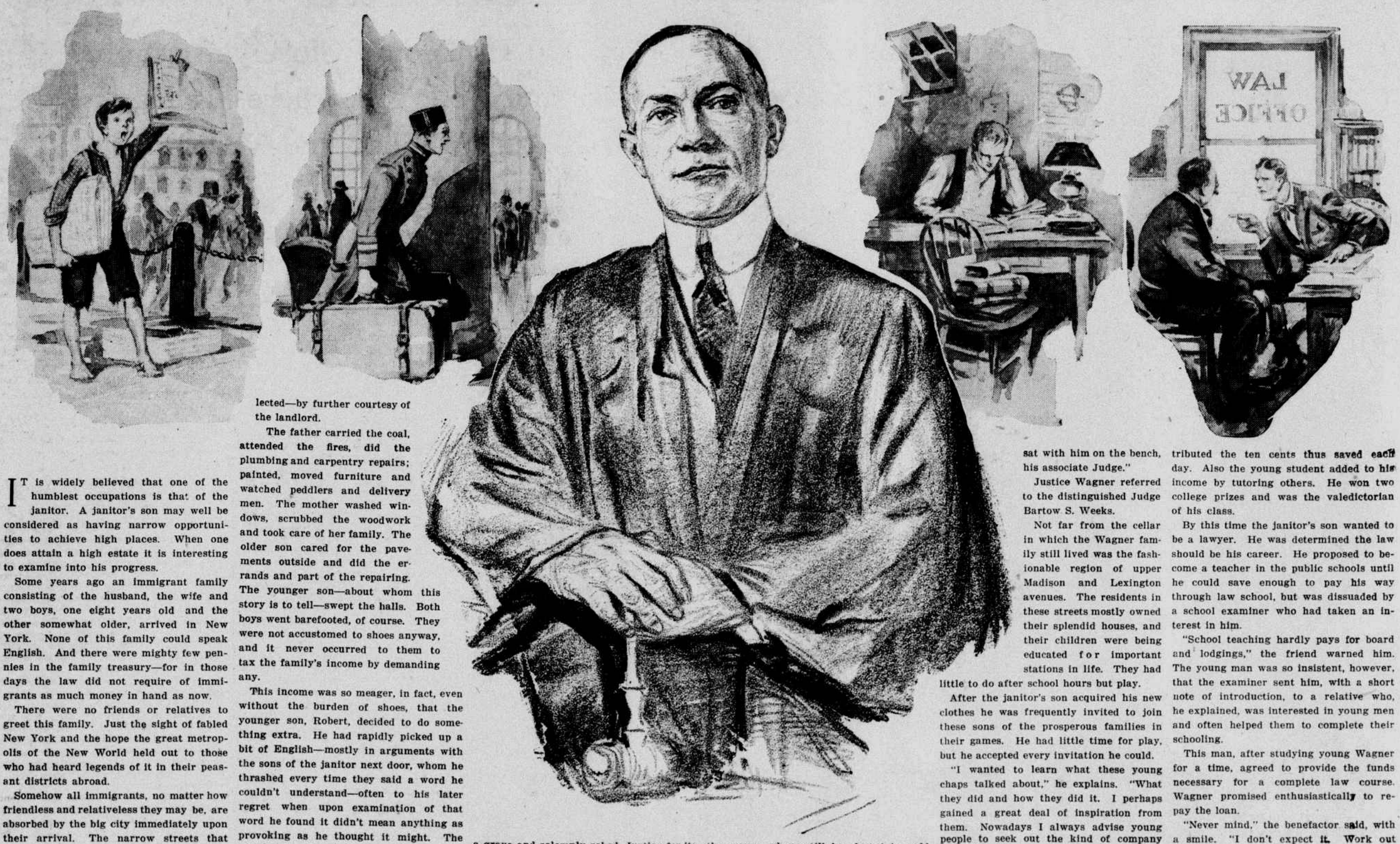
The Janitor's Son Who Reached the Supreme Court



IT is widely believed that one of the humblest occupations is that of the janitor. A janitor's son may well be considered as having narrow opportunities to achieve high places. When one does attain a high estate it is interesting to examine into his progress.

Some years ago an immigrant family consisting of the husband, the wife and two boys, one eight years old and the other somewhat older, arrived in New York. None of this family could speak English. And there were mighty few pennies in the family treasury—for in those days the law did not require of immigrants as much money in hand as now.

There were no friends or relatives to greet this family. Just the sight of fabled New York and the hope the great metropolis of the New World held out to those who had heard legends of it in their peasant districts abroad.

Somehow all immigrants, no matter how friendless and relativeless they may be, are absorbed by the big city immediately upon their arrival. The narrow streets that lead away from the landing pier into the mysterious "uptown" provide a path for the newcomers to follow, and along this path into the city there is some turning off place for all of them that eventually leads to a home.

This particular family, unable to ask questions after the immigration interpreter left it to its own devices, turned up the most promising streets and, dividing its carpet bags between mother, father and children, turned north.

Led to the East Side.

As Usually Is the Case

Even the family traditions of this important epoch in its history are silent as to the incidents of that first venture into the strange and busy and not over hospitable city. Somewhere along the way the mother and father grew tired and, without plan or purpose, just to break the monotony of following one path toward a vague destination, turned off into another—turned off into another—turned to the right.

To the right from any street that leads into the city from the immigrants' landing place leads inevitably to the East Side. Perhaps this is why the crowded, teeming, voluble East Side is the haven of most of the immigrants who come to America as strangers with no definite prospect. The Broadway up which they turn from the docks is long and tiresome, straight and unnovel. The streets to the right look more inviting. Then, too, immigrants from almost any country on the Continent will find, if they watch closely—as they all do—the faces of those turning into and out from these cross streets, kindred faces—faces that remind them of home, only they are usually sharper, more alert faces than those of their whilom neighbors.

Perhaps this family saw faces of familiar nationality coming from one of the streets that broke in from the right. At any rate they turned that way and soon were in the melting-pot.

From the East Side the father of the family shortly afterward emerged, with a few broken English exclamations, with employment as a janitor in one of the new flat buildings far within New York's uptown. The family went along to help take over the job and to find its first real home in their new land, in the cellar of the flat building. The landlord called this cellar a basement. In this respect, at least, the landlord was courteous—to the cellar.

The father had no stipulated hours of employment. He was on duty from the time he got up one morning until he got up the next morning. For if there was anything to be done while he was asleep some one ungently awakened him to do it. The landlord had hired only the father. But mother and boys served him just as fully and continuously as did the father.

The wages were small—even for those days, when the laborer who made a dollar a day was of the elect and looked down upon lesser mortals. But, then, there was the cellar, for which no rent was collected—by further courtesy of the landlord.

The father carried the coal, attended the fires, did the plumbing and carpentry repairs; painted, moved furniture and watched peddlers and delivery men. The mother washed windows, scrubbed the woodwork and took care of her family. The older son cared for the pavements outside and did the errands and part of the repairing. The younger son—about whom this story is to tell—swept the halls. Both boys went barefooted, of course. They were not accustomed to shoes anyway, and it never occurred to them to tax the family's income by demanding any.

This income was so meager, in fact, even without the burden of shoes, that the younger son, Robert, decided to do something extra. He had rapidly picked up a bit of English—mostly in arguments with the sons of the janitor next door, whom he thrashed every time they said a word he couldn't understand—often to his later regret when upon examination of that word he found it didn't mean anything as provoking as he thought it might. The oftener he thrashed his neighbors the oftener he learned new words. His vocabulary grew rapidly.

Thus equipped with the ability to be understood when he spoke to strangers in their own language, he began selling newspapers. He took his stand at the corner nearest his cellar home, so he would not be far away if his father needed help unexpectedly. His working hours were those after school. Before school in the morning he did his sweeping.

When it became imperative for the boy to have a new suit of clothes, having completely worn out everything that had become too small for his older brother, he took on a newspaper delivery route to attend to before his sweeping in the morning, and when the selling hour for evening papers was past he sold lemon drops and peppermint lozenges to bibulous passersby who felt the need of pungents to improve the breath acquired at the corner saloons.

It might be that the acquisition of this first self-earned suit of clothes by the younger son of the recent immigrant, who was a janitor, appears to be given unusual importance. But it was an important accomplishment, for the earning of that little suit of clothes—neither wool nor guaranteed not to shrink, for it did not cost that much—gave to New York, the bigger New York that is the State and not only the city, a learned and eminent, a grave and solemnly robed Justice for its august Supreme Court.

Almost always it is such little things as this that makes possible success.

"Somehow," says Justice Wagner, "that suit of clothes made me feel that I had conquered this strange new land of America. My father had hoped, I know, to find dollars used as street paving materials in America, and when we found plain stones that were hard to walk on he must have been disappointed. I was, I know, even though I was only eight years old. There was something of despair in my attitude toward jobs and schooling until I had accomplished that suit of clothes. Then I felt as if I had stepped into some new surroundings where signs were promiseful and not discouraging. I made up my mind to live up to the clothes and get a few other things."

The young man sought a more productive field for his newspaper salesmanship, and moved down to where the City Hall Park breaks the monotony of lower Broadway. Here there were more pedestrians and more newspaper buyers, and more need for lemon drops and peppermint lozenges late in the afternoon and early evening. It seemed as if downtown business men required many pungents for their breath about the time they started for their homes and dinner.

From his chambers Justice Wagner now looks down, through broad windows, upon the corner where still barefooted he sold his newspapers and his candies.

Meantime the older brother became an assistant cook at a prosperous uptown club, where lawyers, politicians and professional men gathered to spend their evenings and part of their days. He managed to open the club doors for the younger brother, and the latter became a hall boy at the club.

This entailed a second suit of new clothes—but this time the suit was furnished by the employers, and it was a uniform quite spick and span and confidence-giving. There were tips, even in those days, so there were but scant wages. Many of New York's famous men of to-day were down in the hall boy's mind during those years as belonging to one of two classifications—"live ones" and "dead ones." Those who tipped a nickel or nothing were the dead ones. Those who gave a dime or more when the hall boy helped them on with their coats and said "Good day, sir," when he gave them their hats, were the "live ones."

"I will wager many of my best friends of to-day," said Justice Wagner at a recent banquet, "would be interested to know how I had them classified when I was the hall boy at their favorite club. There is one distinguished jurist here at the table who was, however, one of the 'live ones.' I often helped him on with his coat and brushed him carefully. Twenty years later I sat with him on the bench, his associate Judge."

Justice Wagner referred to the distinguished Judge Bartow S. Weeks.

Not far from the cellar in which the Wagner family still lived was the fashionable region of upper Madison and Lexington avenues. The residents in these streets mostly owned their splendid houses, and their children were being educated for important stations in life. They had little to do after school hours but play.

After the janitor's son acquired his new clothes he was frequently invited to join these sons of the prosperous families in their games. He had little time for play, but he accepted every invitation he could.

"I wanted to learn what these young chaps talked about," he explains. "What they did and how they did it. I perhaps gained a great deal of inspiration from them. Nowadays I always advise young people to seek out the kind of company that will give them profit, for that is what I did unconsciously. I did not reason why, of course, but I was glad to be with these children of the 'wealthier class,' as they were called."

Some of these youngsters found it more difficult to learn their daily lessons than the janitor's son. They proposed that the latter help them in their studies. He agreed promptly and set aside several evenings a week to be spent among his young friends coaching them in the intricacies of the day's arithmetic problems. In this way he added something like five dollars a week some weeks to the family income.

When the hall boy was graduated from grammar school he at once proposed to his father—now truly American—that he attend college. The father regretfully reminded him that he ought to go to work at some steady job which, now that he was older, would pay him more substantially than had been any of his earnings so far.

"But the College of the City of New York is free," the young man pleaded. "Why can I not go there, and work when I am not in school as I always have?"

There was a family council and young Wagner was allowed to attend the college. The older brother, firmly established in his job as cook for the club, had married. To make it possible for the younger one to go through the college and still add to the family income the brother gave up riding on the street cars to and from his work each day and contributed the ten cents thus saved each day. Also the young student added to his income by tutoring others. He won two college prizes and was the valedictorian of his class.

By this time the janitor's son wanted to be a lawyer. He was determined the law should be his career. He proposed to become a teacher in the public schools until he could save enough to pay his way through law school, but was dissuaded by a school examiner who had taken an interest in him.

"School teaching hardly pays for board and lodgings," the friend warned him. The young man was so insistent, however, that the examiner sent him, with a short note of introduction, to a relative who, he explained, was interested in young men and often helped them to complete their schooling.

This man, after studying young Wagner for a time, agreed to provide the funds necessary for a complete law course. Wagner promised enthusiastically to repay the loan.

"Never mind," the benefactor said, with a smile. "I don't expect it. Work out your career first."

When he had been graduated, after a rather hard uphill pull, the fledgling lawyer found the obvious course for him would be to enter the office of an established law firm to serve as clerk until he could qualify for promotion to a junior partnership. He was advised against this course, however, by those to whom he appealed for guidance.

"If you can find the way to start in for yourself—if you can support yourself while the beginnings of a practice are being built, do so. That is the only certain way to get ahead. Most law clerks and junior partners never become anything else."

Found Another Poor Youth

And Opened Cheap Office

Wagner found another poor graduate who had the same determination, and together they opened the cheapest office they could establish. That same day Wagner presented himself at a political organization in his district and asked to be assigned for a speech in the campaign then under way. His offer was accepted, despite a rather seedy appearance and a very apparent hesitancy in his manner of application. Speakers of the volunteer character were scant in that campaign and almost any one would have been accepted.

"I prepared for that first speech as I never after prepared even for the rendering of an important opinion," Justice Wagner often has said. "Somehow I got through, and that was my start in politics."

It was a good start, it later transpired. Attorney Wagner was not many years later elected to the State Assembly, and then later to the State Senate. Before he was thirty years old he was the minority leader in the Senate, and when just past thirty he was elected Lieutenant-Governor. He was offered the nomination for the Governorship, but declined.

"I want to be free to work my way to the bench," he exclaimed. "Ever since that benefactor gave me the help I needed to start me through law school I have been determined to some day be a Justice of the Supreme Court, and if I should become Governor I would be sidetracked from that goal."

Not long after his ambition was realized. He sacrificed, it is said by his friends, a law practice earning for him something like $50,000 a year to accept the silken robes of the Supreme Court—but that was his ambition.

The benefactor was long ago repaid and became one of the most interested spectators of the young lawyer's rapid rise. The older brother is an attache of the Supreme Court. The young law student, who was the partner in the establishment of that first modest law office, now maintains elaborate offices in the same building which houses the chambers of Justice Wagner.

The portrait study on this page of Mr. Justice Wagner was taken for his eleven-year-old son, "just to remind him when he grows up," explains the Justice, "that if one works hard he may almost always attain his goal."

How the False Chaldean Priests Got Millions

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of the priest and got one-third of what was collected. The priest got the two-thirds. The men went to America in groups of fifteen or more, and usually entered as laborers. The authorities seldom suspected them of being professional beggars."

Arrived at this hospitable haven, the account continues, the pilgrims lose no time in joining the local Assyrian colony. Soft hearted compatriots hustle to employment agencies to get work for their guests, but are usually astounded on their return, about the second day, to find the so-called laborers all arrayed in clericals.

"Then," says the chronicler, "the real business begins. Two weeks are given to preparations in New York. Maps are purchased and studied, railroads consulted, directories scanned, all with the help of an interpreter familiar with the real object to be achieved. The country is divided into sections, and the several groups make their selections by lot. Then each is trained regarding the prominent clergy in his district; instructed on how to obtain recommendations from American churchmen; on how to avoid arrest and on the proper procedure in the event of such a misfortune.

"Men with little knowledge of English want impressive appearing papers. They usually seek a rubber stamp and seal manufacturer, submit designs and explain that they have been instructed by their Bishop to have some seals made in his name. They add that such things cannot be purchased in their own country, which is about the only true statement they make. They give names of dioceses and bishops that do not exist. Then they attach the seals to the original credentials, which usually are in Syriac and the translation in English."

The next move is on Washington, where the indorsement of the diplomatic representative is usually obtained, along with a generous contribution. From there on it is more or less easy sailing through the Government departments, among sympathetic folk, while here and there appearing in the pulpit or on the platform as a paid speaker for a genuine cause.

One of the striking things about these professional beggars is their scrupulous honesty—among themselves. Couples have been known to be away for months at a time, returning with several thousands of dollars, all of which is, figuratively, laid on the table and divided according to agreement. They regard a promise to one another as a business man does a bond. Should one of their number die the money he has due is collected and sent to his family abroad. Members of his family, incidentally, are the only beneficiaries of the largesse collected here from credulous Americans.

ANY one who possesses one of the old magic mirrors of Japan is lucky, indeed; and if you have even seen one of these accidental rarities you are fortunate. Accidental they are, because the makers do not know how to produce them, and they have puzzled many bright minds until some scientific men have discovered the cause of their magic quality.

These mirrors are not made of glass silvered on the back. They are of cast bronze, with highly polished surface, so that they can be used as ordinary mirrors. The backs have raised figures, or faces, or symbolic designs, or inscriptions, crests or pictures. The curious or magic part of them consists in the fact that if subjected to a strong light, as that from a sunbeam caught directly on the reflecting surface or of the light from an electric lamp, the mirror suddenly and without warning ceases to reflect and mirrors forth instead the picture designed on its back.

The effect is purely an optical one, a property that long puzzled professional opticians, and is even to-day not generally known or believed. So the magicians and necromancers may still use them with effect until one realizes the cause of the vision. This is due to very minute differences in curvature in the polished face of the mirror, differences so slight that they can only be detected by the use of delicate optical tests.

The mystery, however, still remains as to what causes a difference in curvature to correspond so exactly as to reproduce the picture on the back. The makers themselves are in ignorance as to the result, and do not know which of the mirrors will possess the magic quality. The mirrors are cast in molds and afterward polished by hand, and the scientists declare that the metal yields unequally under the pressure of the tools used in scrapping and polishing, the thin parts bending more than the thicker, with the consequence that that delicate curvature is accidentally produced in rare cases, and presto! the magic mirror is the result.